

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 20132

PERMIT 13367

LICENSE 8058

ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS:

1. License 8058 was issued to Mary I. Fee and Doris P. Fee and was recorded with the County Recorder of Monterey County on April 11, 1967 in Reel 500, Page 783.
2. A petition for change in points of diversion, has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

The points of diversion under this license shall be as follows:

- (1) Unnamed stream (aka South Fork Juan Higuera Creek): North 396 feet and East 1,965 feet from center of Section 24, T19S, R1E, MDB&M, being within SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 24.
- (2) Juan Higuera Creek Underflow: North 2,150 feet and West 2,300 feet from SE corner of Section 24, T19S, R1E, MDB&M, being within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 24.
- (3) Juan Higuera Creek Underflow: North 2,100 feet and West 2,150 feet from SE corner of Section 24, T19S, R1E, MDB&M, being within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24.

Dated: MARCH 29 1983

Raymond Walsh
Raymond Walsh, Chief
Division of Water Rights



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 20132

PERMIT 13367

LICENSE 8058

THIS IS TO CERTIFY, That

MARY L. FEE AND DORIS P. FEE (over)
BIG SUR, CALIFORNIA 93920

HAVE made proof as of JULY 26, 1966,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
AN UNNAMED STREAM (SOUTH FORK JUAN HIQUERA CREEK) IN MONTEREY COUNTY

tributary to JUAN HIQUERA CREEK THENCE BIG SUR RIVER

for the purpose of DOMESTIC USE
under Permit 13367 of the Board and that the right to the use of this water has been perfected in
accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of
this right dates from MAY 16, 1961, and that the amount of water to which this right is
entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall
not exceed THREE THOUSAND (3000) GALLONS PER DAY TO BE DIVERTED FROM JANUARY 1 TO
DECEMBER 31 OF EACH YEAR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

NORTH 396 FEET AND EAST 1965 FEET FROM CENTER OF SECTION 24, T19S, R1E, MDB&M,
BEING WITHIN SE1/4 OF NE1/4 OF SAID SECTION 24.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

WITHIN NW1/4 OF SE1/4 OF SECTION 24, T19S, R1W, MDB&M.

JAN 19 1967 MEB

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: APR 10 1967

L. K. Hill
Executive Officer

1-27-88 asgd to Don P. Fee & Estate of
Mary L. Fee

3-22-91 asgd to Don P. Fee & Kenneth R. Wright

4/13/98 Asgd to Kenneth R. Wright

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